

**FISCAL NOTE**  
**SB 2503 - HB 3197**

March 3, 2004

**SUMMARY OF BILL:**

- authorizes the Commissioner of Labor and Workforce Development to assess a penalty of \$200 per day for any employer knowingly, willfully and intentionally failing to pay temporary total disability benefits.
- authorizes the trial court to award the payment of temporary total disability benefits and medical benefits. Allows the trial court to award attorney's fees, costs and expenses in addition to accrued temporary total disability benefits and medical benefits.
- authorizes a workers' compensation specialist, with the approval of the Commissioner of Labor and Workforce Development, to conduct administrative hearings to determine whether temporary total disability or medical benefits should be initiated or reinstated and may impose penalties and award attorney fees.
- authorizes a workers' compensation specialist to act as an arbitrator in those cases in which the parties have entered into an agreement to arbitrate and to authorize the trial court to approve an arbitration award.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenues - Not Significant**  
**Increase State Expenditures - \$142,000 One-Time**  
**\$743,435 Recurring**

Estimate assumes:

- a not significant increase in state revenues from fines collected pursuant to the provisions of the bill.
- an increase in state expenditures for salary and benefits to the Department of Labor and Workforce Development for 12 workers' compensation specialists and 7 support staff to process workers' compensation claims.
- a one-time increase in state expenditures for equipment and training for workers' compensation specialists.
- the state employee workers' compensation program is exempt from the provisions of the bill pursuant to TCA 9-8-307.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director